

Docket No.: 050212-0514



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

| | | |
|--|---|----------------------------|
| In re Application of | : | Customer Number: 20277 |
| Motoki KAKUI, et al. | : | Confirmation Number: 8492 |
| Application No.: 10/615,389 | : | Tech Center Art Unit: 3663 |
| Filed: July 09, 2003 | : | Examiner: Ari M. Diacou |
| For: OPTICAL AMPLIFICATION MODULE OPTICAL AMPLIFICATION APPARATUS AND OPTICAL COMMUNICATIONS SYSTEM | | |

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated February 3, 2006 of the Primary Examiner finally rejecting claims 2-12, 28-34, 39, 41 and 45-79.

Appeal Fee: \$ \$500.00

- ☐ Not required (fee paid in prior appeal in this application).
- ☒ Charge to Deposit Account No. 500417.
- ☐ Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

07/27/2006 MBEYENE1 00000007 500417 10615389
01 FC:1401 500.00 DA

Application No.: 10.615,389



including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "AJS Steiner".

Arthur J. Steiner

Registration No. 26,106

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Phone: 202.756.8000 AJS/lrd
Facsimile: 202.756.8087
Date: July 25, 2006

**Please recognize our Customer No. 20277
as our correspondence address.**